



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

OCT 20 2005

VIA FACSIMILE & FIRST CLASS MAIL

Timothy M. Broas, Esq.
Winston & Strawn, LLP
1400 L Street, NW
Washington, DC 20005

Re: MUR 5628
John Babieracki

Dear Mr. Broas:

By letter dated December 22, 2004, your client, John Babieracki, was notified that the Federal Election Commission found reason to believe that he violated 2 U.S.C. §§ 441b(a) and 441f. On January 12, 2005, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of the matter, the Commission determined on September 29, 2005, to take no further action against John Babieracki, and closed the file in this matter. A copy of the dispositive General Counsel's Report is enclosed for your information.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Goodin", with a stylized flourish at the end.

Mark A. Goodin
Attorney

Enclosure
General Counsel's Report #2

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